

REMARKS

Claims 1-30 and 33 are pending and under consideration. In accordance with the foregoing, claims 31 and 32 have been canceled, claims 1, 3, 5, 7, 8, 11, 12, 15, 16, 18, 19, 21, 26, and 28-30 have been amended, and claim 33 has been added. No new matter is being presented, and approval and entry are respectfully requested. Reconsideration is respectfully requested.

In the Office Action, claims 4-7, 12, 13, 15-20, and 26-30 were objected to under 37 CFR 1.75(c). Claims 31 and 32 stand rejected under 35 U.S.C. § 112. Claims 1, 2, 5, 8-11, 14, 16, 18, 21, and 22 stand rejected under 35 U.S.C. § 102(b) as being anticipated by PCT International Publication Number WO 01/26259 by Raymond C. Henry, Jr. (“Henry”). Claims 3, 6, 7, 12, 13, 15, 17, 19, 20, and 23-30 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Henry in view of U.S. Patent No. 6,614,309 issued to Pehlke (“Pehlke”). Claim 4 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Henry in view of U.S. Patent Publication No. 2002/0021687 by Toki et al. (“Toki”).

Claim Objections

Claims 4-7, 12, 13, 15-20, and 26-30 were objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim cannot depend from any other multiple dependent claim. Claims 3, 5, 7, 12, 15, 16, 18, 19, 26, and 28-30 have been amended. Accordingly, the outstanding objections should be resolved. Reconsideration and withdrawal of the outstanding objections are respectfully requested.

Claim Rejections under 35 U.S.C. § 112

Claims 31 and 32 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Claims 31 and 32 have been cancelled. Accordingly, the outstanding rejections under 35 U.S.C. § 112 should be resolved. Reconsideration and withdrawal of the outstanding rejections are respectfully requested.

Claim Rejections under 35 U.S.C. § 102

Claims 1, 2, 5, 8-11, 14, 16, 18, 21, and 22 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Henry. To anticipate a claim, the prior art reference must teach every element of the claim. “A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The Applicants respectfully submit that claims 1, 2, 5, 8-11, 14, 16, 18, 21, and 22 are not anticipated by Henry for at least the reasons and explanations provided below.

Regarding claim 1, the Applicants respectfully submit that Henry does not describe or suggest all of the features of claim 1. For example, Henry does not describe or suggest:

adjusting the second control signal to cause the transmitter to
operate in a desired manner

as originally recited, or:

wherein the second control signal comprises a gain control signal

as added hereby to further clarify claim 1. The Applicants respectfully submit that at least page 6, lines 24-25 provides support for this amendment.

Regarding claim 8, the Applicants respectfully submit that Henry does not describe or suggest all of the features of claim 8. For example, Henry does not describe or suggest:

adjusting the second control signal to cause the transmitter to
transmit a signal with a power corresponding to the selected power
value

as originally recited, or:

minimizing a power supply current drawn by an amplifier over a
dynamic range of the transmitter through at least one of the
defining of a set of multiple signal values, defining of a set of
multiple power values, setting of the first control signal, selecting
of the power value, adjusting of the second control signal, and
repeating of the selecting and adjusting

as added hereby to further clarify claim 8. The Applicants respectfully submit that at least page 3, lines 24-25 provides support for this amendment.

Regarding claim 21, the Applicants respectfully submit that Henry does not describe or suggest all of the features of claim 21. For example, Henry does not describe or suggest:

an amplifier having a first characteristic controllable by a first control signal and a second characteristic controllable by a second control signal

as originally recited, or:

wherein the first control signal comprises a current control signal

as added hereby to further clarify claim 21. The Applicants respectfully submit that at least page 7, line 2 provides support for this amendment.

The Henry Device

Henry relates to “a device and method for calibrating the power output of a mobile communications device.” (Henry, page 2, lines 2-3). As noted in the background of Henry, “the transmit power of the mobile station is controlled to meet two sometimes competing objectives[:]... maintain[ing] minimum signal standards... [and] reduce[ing] adjacent channel and co-channel interference so that other devices also using that particular base station may communicate clearly.” (Henry, page 2, lines 5-11). In this respect, Henry describes a device for calibrating receiver and transmitter chains of a mobile telephone. (Henry, page 4, lines 13-15). The calibration is performed at multiple power levels for multiple *channels*. (Henry, page 12, lines 9-17).

Although Henry does involve testing multiple power levels for multiple channels, Henry does not contemplate the use of two control signals to dynamically control power amplifier current to optimize amplifier operation. Rather, Henry appears to contemplate adjusting a power output and a *channel* of a mobile device.

Differences between the Henry Device and the Claim Recitations

The Office Action contends that Henry, on page 12, lines 9-17, discloses or suggests “adjusting the second control signal to cause the transmitter to transmit a signal with a power corresponding to the selected power value.” (Office Action, page 4, lines 14-15.) As noted above, Henry appears to contemplate adjusting a power output and a *channel* of a mobile device. The Applicants respectfully submit adjusting a channel of mobile device does not equate to adjusting the second control signal of a transmitter circuit.

Since Henry does not describe adjusting the second control signal to cause the transmitter to operate in a desired manner, the Applicants respectfully submit that Henry does not describe or suggest the method recited in claim 1. Since Henry does not describe adjusting the second control signal to cause the transmitter to transmit a signal with a power corresponding to the selected power value, the Applicants respectfully submit that Henry does not describe or suggest the method recited in claim 8. Since Henry does not describe an amplifier having a first characteristic controllable by a first control signal and a second characteristic controllable by a second control signal, the Applicants respectfully submit that Henry does not describe or suggest the apparatus recited in claim 21.

Further, as amended, claim 1 recites that the second control signal comprises a gain control signal. Amended claim 8 recites that at least one of the defining of the set of multiple signal values, defining of the set of multiple power values, setting of the first control signal, selecting of the power value, adjusting of the second control signal, and repeating of the selecting and adjusting minimizes a power supply current drawn by an amplifier over a dynamic range of the transmitter. Amended claim 21 recites that the first control signal comprises a current control signal.

Because Henry does not describe or suggest all the features of claims 1, 8, and 21, the Applicants respectfully submit that claims 2, 5, 9-11, 14, 16, 18, and 22, which depend ultimately from one of claims 1, 8, or 21 and which include additional features, are also not anticipated by Henry. Accordingly, the Applicants respectfully request reconsideration and withdrawal of the outstanding rejections of claims 1, 2, 5, 8-11, 14, 16, 18, and 21-22.

Claim Rejections under 35 U.S.C. § 103

Claims 3, 6, 7, 12, 13, 15, 17, 19, 20, and 23-30 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Henry in view of Pehlke. The Applicants note that the rejections of claims 1, 8, and 21 are deficient for the reasons and explanations set forth above. The Applicants respectfully submit that Pehlke appears to fail in curing these deficiencies. For at least this reason, the Applicants respectfully submit that claims 3, 6, 7, 12, 13, 15, 17, 19, 20, and 23-30 patentably define over Henry and Pehlke. Accordingly, the Applicants respectfully request reconsideration and withdrawal of the outstanding rejections of claims 3, 6, 7, 12, 13, 15, 17, 19, 20, and 23-30.

Claim 4 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Henry in view of Toki. The Applicants note that the rejection of claim 1 is deficient for the reasons and explanations set forth above. The Applicants respectfully submit that Toki appears to fail in curing this deficiency. For at least this reason, the Applicants respectfully submit that claim 4 patentably defines over Henry and Toki. Accordingly, the Applicants respectfully request reconsideration and withdrawal of the outstanding rejection of claim 4.

REQUEST FOR ALLOWANCE

In view of the foregoing, Applicants respectfully submit that all pending claims in the present application are in a condition for allowance, which is earnestly solicited. Should any issues remain unresolved, the Examiner is encouraged to telephone the undersigned at the number provided below.

Respectfully submitted,

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